

10/568976

IAP20 Rec'd PCT/PTO 21 FEB 2006  
Attorney Docket No. 1454.1676

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Maik BIENAS et al.

Application No.:

Group Art Unit:

Filed: (Concurrently)

Examiner:

For: METHOD FOR SELECTION OF AN AVAILABLE TRANSMISSION CHANNEL BY  
SENDING A NEGATIVE DECISION VALUE AND AN ADDITIONAL POSITIVE  
DECISION VALUE AND CORRESPONDING BASE STATION, MOBILE TERMINAL  
AND MOBILE RADIO NETWORK

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications.
- 1c. ☒ English language copy of a communication(s) from a foreign Patent Office or a PCT International Search Report.
- 1d. ☐ English language translation (complete, Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached Form PTO-1449.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of non-English publications.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is

(Check appropriate Items 2a, 2b, 2c and/or 2d)

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- 2a. ☐ satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)
- 2b. ☐ set forth in the application.
- 2c. ☐ satisfied for the non-English language publication(s) indicated on the attached PTO-1449 as having an English language translation (complete, Abstract or relevant portion(s)) attached thereto.
- 2d. ☐ enclosed as Attachment 1(e), hereto.
3. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 2/21/06  
1201 New York Ave., N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

By: Richard A. Gollhofer  
Richard A. Gollhofer  
Registration No. 31,106

1AP200357-000000 21 FEB 2006

<b>FORM PTO-1449</b>	<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>	<b>ATTORNEY DOCKET NO.</b> 1454.1676	<b>APPLICATION NO.</b> 10/1568976
<b>INFORMATION DISCLOSURE STATEMENT</b> <i>(Use several sheets if necessary)</i>		<b>FIRST NAMED INVENTOR</b> Maik BIENAS	
		<b>FILING DATE</b> (Concurrently)	<b>GROUP ART UNIT</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
AA	2002/0080745 A1	06/27/2002	DICK ET AL.			
AB	6,480,525 B1	11/12/2002	PARSA ET AL.			
AC	2003/0139170 A1	07/24/2003	HEO			
AD						
AE						
AF						

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NO.	DATE	COUNTRY	TRANSLATION YES NO	ABSTRACT
AG 01/10157 A1	02/08/2001	WIPO		
AH 01/11823 A2	02/15/2001	WIPO		
AI 01/33884 A1	05/10/2001	WIPO		
AJ 03/003643 A1	01/09/2003	WIPO		
AK 1 351 448 A1	10/08/2003	Europe		
AL				

**OTHER REFERENCES (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)**

TRANSLATION YES NO
AM
AN
AO

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1454.1676

21 FEB 2006

## ATTACHMENT 1(g)

<b>LIST OF ADDITIONAL SUBMITTED DOCUMENTS</b>	ATTORNEY DOCKET NO.		APPLICATION NO.
	1454.1676		10/568976
	FIRST NAMED INVENTOR		
	Maik BIENAS		
FILING DATE		GROUP ART UNIT	
(Concurrently)			

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialling same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application; and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO	
	AD							

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

						TRANSLATION YES NO	
	AE	International Search Report for International Application No. PCT/EP2004/051811; mailed December 17, 2004					
	AF	Communication for German Application No. 103 37 828.6					X

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if document considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	